

1 STEVEN G.KALAR
Federal Public Defender
2 JOYCE LEAVITT
Assistant Federal Public Defender
3 555 12th Street, Suite 650
Oakland, CA 94607-3627
4 (510) 637-3500
5 Counsel for Defendant JESSE YANG

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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,)
11) No. CR 12-00651 YGR
Plaintiff,)
12)
v.) STIPULATION AND [~~PROPOSED~~]
13) ORDER CONTINUING STATUS
DATE; EXCLUSION OF TIME
14)
JESSE YANG,)
15)
Defendant.)
16

17 **STIPULATION**

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date in
19 this case with respect to Jesse Yang, currently scheduled for Thursday, February 14, 2013, at 2:00
20 p.m. before Honorable Yvonne Gonzalez Rogers, may be continued to Thursday, March 7, 2013,
21 2013, at 2:00 p.m. for status. The reason for the request is that the status date was originally
22 scheduled for February 7, 2013, at 2:00 but was re-set to February 14, 2013 due to the unavailability
23 of the Court. Unfortunately, defense counsel is unavailable on February 14, 2013. In addition,
24 counsel for Mr. Yang recently received computer discovery which was copied by the government
25 onto hard drives provided to it by defense counsel. Counsel for Mr. Yang provided the computer
26

discovery to it's own expert within the last couple of weeks and their review is ongoing. A continuance to March 7, 2013, will enable the defense expert to continue with it's review of the computer data and the additional time may provide for a more informative status appearance. The parties therefore stipulate that the time from February 7, 2013, to March 7, 2013, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel so that defense counsel can be present at the appearance and the expert can continue with its review of the computer discovery.

DATED: 2/1/13

/s/

JOYCE LEAVITT
Assistant Federal Public Defender

DATED: 2/1/13

/s/

OWEN MARTIKAN
Assistant United States Attorney

I hereby attest that I have permission of the parties to enter a conformed signature (/s/) for all signatures within this e-filed document.

ORDER


GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status date for Jesse Yang, currently scheduled for Thursday, February 14, 2013, at 2:00 p.m. before Honorable Yvonne Gonzalez Rogers, is hereby continued to Thursday, March 7, 2013, at 2:00 p.m. for status.

IT IS FURTHER ORDERED that the time from February 7, 2013, to March 7, 2013, is excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(b), (h)(7)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel so that defense counsel can be present at the time of the hearing and the expert for Mr. Yang can continue with it's review and examination of the computer discovery.

1 The Court finds that there is good cause and that the ends of justice served by the granting of
2 the continuance outweigh the best interests of the public and the defendant in a speedy and public
3 trial and the failure to grant the requested continuance would unreasonably deny counsel the
4 reasonable time necessary for effective preparation, taking into account due diligence.
5

6 SO ORDERED.

7 DATED: February 4, 2013


HON. YVONNE GONZALEZ ROGERS
United States District Judge